

**Meeting Minutes**  
**Meeting of December 18, 2009**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, December 18, 2009, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Daniel F. Caruso at 2:08 p.m.

**Council Members Present:**

Judge Daniel F. Caruso  
Chairman  
Brian Golembiewski  
(designee for Commissioner Marrella)  
Philip T. Ashton

Wayne V. Estey  
(designee for Commissioner DelGobbo)  
Barbara Currier Bell  
James Murphy  
Edward S. Wilensky

**Council Members Absent:**

Colin C. Tait  
Vice Chairman

Daniel P. Lynch Jr.

**Staff Members Present:**

S. Derek Phelps  
Executive Director  
Robert L. Marconi  
Assistant Attorney General  
Melanie Bachman  
Staff Attorney  
Fred Cunliffe  
Siting Analyst Supervisor

Christina Walsh  
Siting Analyst  
Robert Mercier  
Siting Analyst  
David Martin  
Siting Analyst  
Michael Perrone  
Siting Analyst

**Recording Secretary:**

Carriann Mulcahy

**Minutes of December 3, 2009.**

Mr. Murphy moved to approve the minutes of December 3, 2009, seconded by Mr. Wilensky. The motion passed unanimously.

**DOCKET NO. 366 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 52 Stadley Rough Road in Danbury, Connecticut. Discussion of Settlement and amended D&M Plan.**

Mr. Murphy moved that the Council approve the amended Development and Management (D&M) Plan, subject to a settlement agreement being reached between the City of Danbury and SBA Towers II in their pending litigation case. The Council further recommended that SBA Towers II and the City of Danbury consider substituting plants less attractive to deer such as American Holly for the Arborvitae and Capitata Yews that are specified in the amended D&M Plan. This motion was seconded by Mr. Ashton and passed unanimously.

**DOCKET NO 370 – Consolidated proceeding pursuant to the Connecticut Energy Advisory Board (CEAB) Request for Proposal (RFP) process under C.G.S. §16a-7c. Original application: The Connecticut Light & Power Company application for Certificates of Environmental Compatibility and Public Need for the Connecticut Valley Electric Transmission Reliability Projects which consist of (1) The Connecticut portion of the Greater Springfield Reliability Project that traverses the municipalities of Bloomfield, East Granby, and Suffield, or potentially including an alternate portion that traverses the municipalities of Suffield and Enfield, terminating at the North Bloomfield Substation; and (2) the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut. Competing application: NRG Energy, Inc. application pursuant to C.G.S. §16-50l(a)(3) for consideration of a 530 MW combined cycle generating plant in Meriden, Connecticut. Objections of the Connecticut Light and Power Company to Admission of Testimony Submitted With Photographs of Citizens Against Overhead Power Line Construction and Request of CAOPLC to Submit Additional Video Materials.**

Mr. Ashton moved to approve the admittance of the photos by CAOPLC with the captions edited, seconded by Mr. Estey. The motion passed unanimously.

Mr. Wilensky moved to deny the submittal of video material by CAOPLC, seconded by Mr. Ashton. The motion passed with Mr. Estey voting no.

Mr. Ashton moved to approve the extension of time to file briefs, seconded by Mr. Estey. The motion passed unanimously.

**DOCKET NO. 376 - New Cingular Wireless PCS, LLC (AT&T) application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 24 Dinglebrook Lane, Newtown, Connecticut. Development and Management Plan.**

Mr. Ashton moved to approve the Development and Management plan, seconded by Mr., Murphy. The motion passed unanimously.

**DOCKET NO. 381 - New Cingular Wireless PCS, LLC (AT&T) application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 27 Gungy Road/322 Beaver Brook Road, Lyme, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.**

Mr. Wilsensky moved to approve the Draft Findings of Fact, Opinion, and Decision and Order; seconded by Mr. Murphy. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Ashton, Mr. Estey, Mr. Golembiewski, and Chairman Caruso in favor of granting a Certificate for the proposed telecommunications facility.

**DOCKET NO. 391 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 232 Shore Road, Old Lyme, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status. Motion for Protective Order. SBA Towers, LLC Request to Delay Hearing.**

**DOCKET NO. 392 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 387 Shore Road, Old Lyme, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status. Motion for Protective Order. SBA Towers, LLC Request to Delay Hearing.**

**DOCKET NO. 393 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 61-1 Buttonball Road, Old Lyme, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status. Motion for Protective Order. SBA Towers, LLC Request to Delay Hearing.**

Mr. Murphy moved to approve these applications (Dockets 391, 392, and 393) as complete and approve the schedule for processing the dockets as per staff recommendations, the appointment of Jessica Brito-Weston as custodian of the dockets, the deposition of the transcripts in the Town of Old Lyme, and a public field review and hearing in Old Lyme on Thursday, February 4, 2010; seconded by Mr. Ashton. The motion passed unanimously.

Mr. Ashton moved to approve the Town of Old Lyme as a party in Dockets 391, 392, and 393; seconded by Mr. Murphy. The motion passed unanimously.

Mr. Ashton moved to approve the Protective Order in Dockets 391, 392, and 393; seconded by Mr. Estey. The motion passed unanimously.

Mr. Ashton moved to approve Cellco Partnership as an intervenor in Docket No. 391, seconded by Mr. Murphy. The motion passed unanimously.

Mr. Ashton moved to approve New Cingular Wireless PCS, LLC as an intervenor in Docket No. 391, seconded by Mr. Estey. The motion passed unanimously.

**DOCKET NO. 394 - New Cingular Wireless PCS, LLC (AT&T) application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 933 Stillwater Pond Road, Torrington, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status. Motion for Protective Order.**

Mr. Murphy moved to approve the application as complete and approve the schedule for processing the docket as per staff recommendations, the appointment of Lisa Fontaine as custodian of the docket, the deposition of the transcript in the Town of Torrington, and a public field review and hearing in Torrington on Tuesday, January 26, 2010; seconded by Dr. Bell. The motion passed unanimously.

Mr. Wilensky moved to approve the Protective Order, seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 907 – Montville Power LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the retrofit and operation of a 40 MW Biomass-Fueled Generation Unit at the Montville Station in Uncasville, Connecticut. Close of Record or Resume Proceeding.**

Mr. Wilensky moved to close the record on this proceeding followed by a 30-day public comment period, seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 924 - The Connecticut Municipal Electric Energy Cooperative (CMEEC) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of two (2) 2.5 MW electric generators and associated equipment located at 70 Bridge Street, Groton, Connecticut. Decision.**

Mr. Murphy moved to approve this petition, seconded by Ashton. The motion passed unanimously.

**TS-METROPCS-097-091117 - MetroPCS New York, LLC request for an order to approve tower sharing at an existing telecommunications facility located at Route 34, Newtown, Connecticut.**

Mr. Ashton moved to approve this request for tower sharing with the following conditions:

- The coax shall be installed per Appendix B of the structural analysis report dated May 15, 2009 and sealed by John Irving Mathis, P.E.;
- Not more than 45 days after completion of construction, the Council shall be notified in writing that the coax was installed as specified.

The motion was seconded by Mr. Wilensky. The motion passed unanimously.

**FY2011 Budget.**

Dr. Bell moved to approve the Budget, seconded by Mr. Ashton. The motion passed unanimously.

**Administrative Matters.**

Mr. Phelps announced that the next energy/telecommunications meeting is scheduled for Thursday, January 7, 2010, at 2:00 p.m., in Hearing Room One. Other calendar dates were also discussed.

**Adjournment.**

Mr. Murphy moved to adjourn the meeting at 3:32 p.m.; seconded by Dr. Bell. The motion passed unanimously.

**Respectfully submitted,**

**Daniel F. Caruso**  
**Chairman**

DFC/cm